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AMNESTY INTERNATIONAL STATEMENT ON TOGO

In recent weeks the government of Togo has placed advertisements in a numbe of major U.S. newspapers. Because Amnesty International is mentioned in these ads, there may be some confusion as to AI's work on human rights violations in Togo. For this reason, Amnesty International U.S.A. is releasing the attached statement which summarizes AI's concerns with regard to human rights violations in Togo over the past year.

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Amnesty International is a worldwide human rights movement which works impartially for the release of prisoners of conscience, men and women detained anywhere for their beliefs, color, ethnic o sex, religion or language, provided they have neither used nor advocated violence. Amnesty International opposes torture and the death penalty in all cases without reservation and advocates fai prompt trials for all political prisoners. Amnesty International is independent of all governments, political factions, ideologies, economic interests and religious creeds. It has consultative stat s wit United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States and has obse status with the Organization of African Unity (Bureau for the Placement and Education of African Refugees). Amnesty International was the recipient of the 1977 Nobel Prize for Peace.

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July 1980

TOGO

Amnesty International's major concerns with regard to human rights in Togo are detention w hout trial, unsatisfactory trial procedures, poor prison conditions ar death penalty.

In October 1977 a conspiracy to overthrow the government of President Gnassingbe Ey was reportedly foiled. Arrests in connection with the alleged plot had begun in No 1978, when Saturnin Ayite, Kouassivi de Souza and Komlan de Souza were detained. I more than 30 people (including seven children under the age of 12) were arrested ar without charge or trial for periods ranging from a few days to several months. All members of Togo's "Southern" families, officially suspected of having backed the al plot, and were usually friends or relatives of individuals whom the government was to arrest in connection with the alleged plot.

On June 3, 1979, two Togolese exiles, Kodjovi de Souza and Teyi Lawson, were kidnap Ghana and forcibly returned to Togo. Shortly afterwards, the government-controlled paper published statements alleged to have been made by Kodjovi de Souza, in which fessed to an involvement in the preparation of the alleged plot of October 1977. O basis of these "confessions," which Amnesty International believes to have been obt under torture, other individuals were arrested, including Major Kouao Sanvee and bu man, Lanyo Savi de Tove. In early July, when 10 people remained in detention, the ment announced its decision to convene the State Security Court to try those charge complicity in the "mercenaries affair."

On July 19, 1979, Amnesty International made public its fear that the forthcoming S Security Court trial would not provide the accused with a fair and impartial hearin High-ranking government officials, including two of the State Security Court's judg publicly proclaimed the guilt of the accused in June 1979. The independence of the ciary had been formally abolished in 1976, when magistrates came under the direct c of the State. In its communique, Amnesty International reiterated its appeal to th government to allow an observer to attend the trial proceedings and expressed its c at the continuing recourse to detention without charge or trial, the practice of to the poor conditions prevalent in Togolese prisons, and what appeared to be a delibe government policy of harassment against "Southern" families. In a public statement days later, the Togolese government rebutted these charges and declared its willing accept international observers at the trial.

The State Security Court sat on 23 and 24 August 1979 and was attended by the publi international observers. Two of the seven accused were acquitted and five were fou guilty of "conspiring...to overthrow or change the Togolese government..of committi beginning acts in preparation of its execution...and of possessing arms...." Kodjo Souza and Kouao Sanvee were sentenced to death, and three others were given prison tences of between ten and five years. Eight other accused were sentenced to death _in absentia_. On August 3, 1979, President Eyadema commuted the death sentences agains de Souza and Kouao Sanvee to life imprisonment. Three of those arrested in connect

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this affair were not brought to trial. According to official reports, Saturnin A and Arthur Yehouessi were among 34 detainees freed in a presidential amnesty on January 13, 1980. The third, Barnabas Aku, died in hospital in late 1979 only tw after his release from prison. Amnesty International remains concerned about the of Saturnin Ayite, whose state of health and whereabouts have been the subject o enquiries to the Togolese government.

In its trial observation report, Amnesty International stated that, despite stric for procedure during the hearing, the degree of guilt of the accused was not esta adequately in court and that the sentences passed accordingly appeared unwarrante severe. Further, the report noted that the right to defense counsel at all stage judicial process had not been respected and that material given wide coverage in Togolese press during June 1979 had constituted an essential part of the prosecut case. Amnesty International called on the Togolese authorities to release or re prisoners. The government has answered that it will not accede to this appeal. April 1980, an Amnesty International mission was received by President Eyadema in

Amnesty International has received numerous reports that arrest and detention wit charge or trial in Togo are both known to and encouraged by President Eyadema. H reliably reported to play an active role in the interrogating of individuals susp of holding views critical of the government and to use his personal authority to them to often unspecified terms of imprisonment. In such cases there is no acces soever to judicial redress. Amnesty International has appealed to the President occasions during the year for the release of individuals imprisoned often on the of pretexts and without charge or public trial. It has also intervened with the regarding the two cases of kidnapping of suspected opponents: in June 1979, Kodj Souza and Teyi Lawson were seized in Ghana; and in October 1979, Benis Lawson, a citizen of Togolese origin, was taken back to Togo from Niger by Togolese militar sonnal. He was released in November 1979.

Conditions of imprisonment at the Gendarmerie headquarters and the Tokoin militar Lome, at Lama Kara prison and at the Temedja paracommando camp are reported to be Amnesty International has received reports of severe overcrowding, poor nutrition hygiene, insufficient medical facilities and the granting of only occasional visi families and friends at the two Lome detention centers. These poor conditions ha to a high incidence of illness among detainees. Amnesty International remains co at the number of deaths of political detainees which have not resulted in an offi inquest. These deaths have occurred either in detention or shortly following rel and have included in the year the cases of four customs officials, one gendarme a Barnabas Aku.

Two prisoners held without charge or trial since December 1979, Quist Crosby and Lawson, were released in April 1980 followi appeals from several organizations Amnesty International.

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